

Message Text

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12
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E.O. 11652: N/A
TAGS: PINT, KS
SUBJECT: MYONGDONG TRIAL - AUGUST 3

REF: SEOUL 5955

SUMMARY: AT 13TH MYONGDONG SESSION DEFENSE CHARGED COURT WITH BIAS IN FAVOR OF PROSECUTION AND REQUESTED NEW PANEL OF JUDGES. WHEN PRESIDING JUDGE CALLED FOR TRIAL TO PROCEED PENDING HIGHER COURT DISPOSITION OF DEFENSE MOTION, DEFENSE ATTORNEYS WALKED OUT OF COURT. PROSECUTOR MADE HIS SUMMATION AND DEMANDED HEAVY PENALTIES FOR DEFENDANTS. NEXT SESSION SCHEDULED FOR AUGUST 5. WIVES OF DEFENDANTS DID NOT APPEAR AT COURT.

1. AUGUST 3 SESSION OPENED WITH DEFENSE ATTORNEYS ANNOUNCING THAT THEY HAD SUBMITTED PETITION FOR NEW PANEL OF JUDGES TO HEAR TRIAL. DEFENSE NOTED THAT JULY 31 SESSION HAD HEARD ONLY PROSECUTION WITNESSES AND THAT JUDGES HAD REFUSED TO CALL ADDITIONAL DEFENSE WITNESSES. THIS, THEY DECLARED, PROVED BIAS OF COURT. PRESIDING JUDGE SAID HE WAS DOING HIS BEST TO CONDUCT A FAIR TRIAL AND ASKED DEFENSE TO RECONSIDER THEIR MOTION IN ORDER THAT TRIAL MIGHT MOVE AHEAD ON SCHEDULE. AFTER TEN MINUTE RECESS, DEFENSE REITERATED DETERMINATION TO SEEK NEW PANEL OF JUDGES. PRESIDING JUDGE NOTED THAT DEFENSE MOTION WOULD REQUIRE UP TO THREE DAYS FOR ACTION BY HIGHER COURT AND
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ORDERED TRIAL TO CONTINUE PENDING RECEIPT OF OFFICIAL

DISPOSITION OF DEFENSE APPEAL. DEFENSE ATTORNEYS (27 ALL TOLD) PROTESTED AND THEN WALKED OUT WHEN OVERRULED. SOME SPECTATORS SHOUTED SUPPORT FOR DEFENSE LAWYERS, AND THEY TOO LEFT COURT ROOM.

2. PROSECUTOR GAVE TWO HOUR SUMMATION. HE STATED DEFENDANT VIEWS OF KOREAN SITUATION DIFFERED SHARPLY FROM THOSE OF GENERAL PUBLIC. HE REVIEWED DEFENDANTS' STATEMENTS ON KOREA'S POLITICAL, ECONOMIC AND INTERNATIONAL STANDING AND CLAIMED THEIR CONTENTIONS DISTORTED TRUTH. HE CONCLUDED THAT DEFENDANTS HAD SPREAD FALSE RUMORS WITH MALICIOUS INTENT, HAD VIOLATED EMERGENCY MEASURE NUMBER NINE AND DESERVED PUNISHMENT.

3. PROSECUTION CALLED FOG SENTENCES AS FOLLOWS:

DEFENDANT (YRS)	HARD LABOR RIGHTS (YRS)O	LOSS OF CIVIL
KIM TAE-CHUNG (FORMER NDP LEADER)	10	10
MUN IK HWAN (MINISTER)	10	10
YI TAE-YONG (WOMAN LAWYER)	7	7
HAM SE-UNG (PRIEST)	7	7
YI U-CHONG (ACTIVIST CHRISTIAN WOMAN'S ORGANIZATION)	7	7
MUN TONG-HWAN (MINISTER)	7	7
SIN HYON-PONG (PRIEST)	7	7
YI MUN-YONG (EX-UNIVERSITY PROF)	7	7
YI HAE-TONG (MINISTER)	5	5
SO NAM-TONG (EX-UNIV. PROF)	5	5

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AN PYONG-MU (EX UNIV. PROF)	7	5
MUN CHONG-HYON (PRIEST)	7	7
CHANG TOK-PIL (PRIEST)	3	3
KIM SUNG-HUN (PRIEST)	3	3

YUN PAN UNG (MINISTER)

7

7

4. COURT ASKED PROSECUTION NOT TO PROPOSE SENTENCES AS YET FOR YUN PO-SON, CHONG IL-HYONG OR HAM SOK-HON SINCE THESE THREE DEFENDANTS NOT TECHNICALLY REPRESENTED BY COUNSEL. DEFENDANTS GIVEN THREE DAYS TO NAME LAWYERS. JUDGE SET AUGUST 5 FOR NEXT HEARING.

5. PUBLIC INTEREST WAS HIGHER AT AUGUST 3 HEARING THAN IN RECENT PAST BUT HAS NOT REACHED LEVEL EVIDENT WHEN TRIAL BEGAN. COURT WAS FILLED TO CAPACITY AND SOME WHO WISHED TO ATTEND COULD NOT FIND SEATS. LOCAL RADIO CARRIED NEWS OF DEFENSE ATTORNEYS' WALKOUT SHORTLY AFTER IT OCCURRED. WIVES OF DEFENDANTS DID NOT APPEAR OUTSIDE OF COURT.

6. DEFENSE LAWYERS ARE NOT HOPEFUL THAT THEIR MOTION TO REMOVE PANEL OF JUDGES WILL SUCCEED, BUT APPARENTLY HOPE TO DRAW THIS TRIAL OUT TO MAXIMUM, STIMULATE PUBLIC RESPONSE, AND LAY BASIS FOR FUTURE APPEALS.
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